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FACSIMILE COVER SHEET

DATE: August 30, 2006
FILE NO: WEAT/0344.P1
TO: Mail Stop PETITIONS
ATTN: PAUL SHANOSKI, ATTORNEY
Commissioner for Patents
FAX NO: 571-273-8300
COMPANY: USPTO
FROM: Jason C. Huang
PAGE(S) with cover: 15
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY

TITLE: Apparatus and Methods For Drilling A Wellbore Using Casing
U.S. SERIAL NO.: 10/772,217
CUSTOMER NO.: 36735
FILING DATE: February 2, 2004
INVENTOR: Richard L. Giroux, et al.
CONFIRMATION NO.: 2193
Examiner: William P. Neuder
Group Art: 3672

Attached: (1) Copy of Second Response to Final Office Action Dated March 21, 2006; and
(2) Copy of Petition for One-Month Extension of Time

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☒ 002/015

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PATENT

Atty. DKL No. WEAT/0344.P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Richard L. Giroux, et al.

Serial No.: 10/772,217

Confirmation No.: 2193

Filed: February 2, 2004

For: APPARATUS AND METHODS
FOR DRILLING A WELLBORE
USING CASING

Group Art Unit: 3672

Examiner: William P. Neuder


Customer No.: 36735

ATTN: PAUL SHANOSKI, Attorney

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**CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on August 30, 2006.


Signature
Jason C. Huang
Typed or Printed Name
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(713) 623-4844
Telephone Number

Dear Sir:

**PETITION TO ACCEPT
AN UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY**

This is a second petition to the Commissioner to claim benefit of U.S. Patent Application No. 10/331,964, filed on December 30, 2002, for the above-referenced application. The initial petition was dismissed for improperly incorporating by reference the prior filed application. Applicants are submitting herewith a supplemental amendment deleting the incorporation by reference statement.

The entire delay between the date the claim was due and the date the claim was filed was unintentional.

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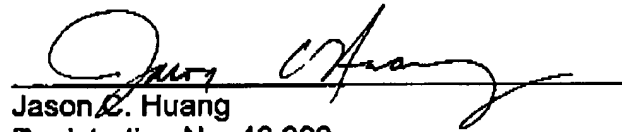
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The Commissioner is hereby authorized under 37 CFR 1.17(t) to charge counsel's Deposit Account No. 20-0782/WEAT/0344/WBP, the fee of \$1,370.00, and for any for any additional fees required to make this Petition acceptable to the U.S. Patent and Trademark Office.

Applicants respectfully submit the Petition and requests acceptance of priority claim.

Respectfully submitted,



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PTO/SB/22 (12-04)
Approved for use through 7/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) WEAT/0344.P1	
Application Number 10/772,217		Filed February 2, 2004	
For APPARATUS AND METHODS FOR DRILLING A WELLBORE USING CASING			
Art Unit 3672		Examiner William P. Neuder	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$120
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$_____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$_____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$_____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$_____

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-0782/WEAT/0344.P1/JCH. I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number _____

☒ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34, 46,222.

Signature _____
Jason C. [unclear]
Printed name _____

Date _____
713-623-4844
Telephone Number _____

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE SPECIFICATION:

Please add the following paragraph after paragraph [0002].

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[0002.1] This application is a continuation-in-part of U.S. Patent Application No. 10/331,964, filed on December 30, 2002, now U.S. Patent No. 6,857,487.

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IN THE CLAIMS:

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Please amend the claims as follows:

1. (Previously Presented) A method for preferentially directing a path of a casing to form a wellbore, comprising:

providing a second casing concentrically disposed within a first casing;
penetrating the first casing having an earth removal member operatively connected thereto into a formation to a first depth;

releasing a releasable attachment between the first and second casing; and
selectively altering a trajectory of the second casing while rotating the earth removal member as the second casing continues into the formation.

2. - 3. Cancelled.

4. (Currently Amended) The method of claim 1, further comprising diverting fluid flow to a passageway through ~~the~~ a motor system.

5. (Original) The method of claim 4, further comprising flowing a physically alterable bonding material through the passageway to the earth removal member.

6. - 21. Cancelled.

22. (Previously Presented) The method of claim 1, wherein the first casing comprises a biasing member to facilitate altering the trajectory of the wellbore.

23. (Previously Presented) The method of claim 22, wherein the biasing member includes a preferential jet for directing fluid flow asymmetrically through the first casing while jetting.

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24. (Previously Presented) The method of claim 22, wherein the biasing member includes a stabilizing member disposed proximate to a midpoint of the first casing

25. (Currently Amended) The method of claim 22, further comprising diverting fluid flow to a passageway through the a motor system.

26. (Previously Presented) The method of claim 25, further comprising flowing a physically alterable bonding material through the passageway to the earth removal member.

27. (Previously Presented) The method of claim 1, further comprising providing a motor system releasably attached to an inner portion of the second casing, the motor system adapted to rotate the earth removal member.

28. (Previously Presented) The method of claim 27, further comprising providing a drilling fluid to the motor system.

29. (Previously Presented) The method of claim 28, further comprising diverting the drilling fluid to a passageway through the motor system.

30. (Previously Presented) The method of claim 27, further comprising:
drilling the second casing to a second depth; and
expanding the second casing.

31. (Previously Presented) The method of claim 30, wherein expanding the second casing is accomplished by retrieving the motor system from the second casing.

32. (Previously Presented) The method of claim 27, further comprising retrieving the motor system from the second casing.

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33. (Previously Presented) The method of claim 27, further comprising selectively introducing a surveying tool into the motor system to selectively measure the trajectory of the wellbore.

34. (Previously Presented) The method of claim 33, wherein the surveying tool selectively measures the trajectory of the wellbore while drilling with the first or second casing.

35. (Previously Presented) An drilling assembly for directing a path of a wellbore, comprising:

an outer casing having a deflecting member for deflecting a direction of the drilling assembly;

an inner casing having a motor system disposed therein, the inner casing disposed within the outer casing and operatively attached thereto; and

an earth removal member operatively connected to a lower end of the outer casing, wherein the earth removal member is rotatable by the motor system.

36. (Previously Presented) The apparatus of claim 35, wherein the deflecting member comprises an inclined wedge releasably attached to a lower portion of the cutting apparatus.

37. (Previously Presented) The apparatus of claim 35, wherein the deflecting member comprises an angled perforation through the lower portion of the casing string for receiving a fluid.

38. (Previously Presented) The apparatus of claim 37, wherein the deflecting member further comprises a bent portion in the casing string for deflecting the casing string preferentially in a direction.

39. (Previously Presented) The apparatus of claim 35, wherein the deflecting member comprises a second earth removal member larger in diameter than the first

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earth removal member disposed on a portion of the casing assembly above the first earth removal member.

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40. (Previously Presented) The apparatus of claim 35, wherein the deflecting member further comprising a landing seat for securing a survey tool therein.

41. (Previously Presented) The apparatus of claim 35, wherein the earth removal member includes at least one nozzle extending therethrough, the at least one nozzle having an extended straight bore extending longitudinally therethrough.

42. (Previously Presented) The apparatus of claim 41, wherein the at least one nozzle is drillable.

43. (Previously Presented) The apparatus of claim 41, wherein the at least one nozzle comprises a soft material.

44. (Previously Presented) The apparatus of claim 43, wherein the soft material is copper.

45. (Previously Presented) The apparatus of claim 43, wherein the at least one nozzle comprises a thin coating of a hard material, the hard material having a hardness greater than a hardness of a soft material.

46. (Previously Presented) The apparatus of claim 45, wherein the hard material is ceramic.

47. (Previously Presented) The apparatus of claim 45, wherein the hard material is tungsten carbide.

48. (Previously Presented) The apparatus of claim 35, wherein the motor system is releasable from the inner casing and retrievable therefrom.

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49. (Previously Presented) The apparatus of claim 35, wherein the motor system comprises:

- a motor operating system disposed in a motor system housing;
- a shaft operatively connected to the motor operating system, the shaft having a passageway; and
- a divert assembly disposed to direct fluid flow selectively to the motor operating system and the passageway in the shaft.

50. (Previously Presented) The apparatus of claim 49, further comprising a latch for releasably latching the motor system onto the inner casing.

51. (Previously Presented) The apparatus of claim 49, wherein the divert assembly comprises a closing sleeve having one or more ports, the closing sleeve disposed in the shaft.

52. (Previously Presented) The apparatus of claim 49, wherein the divert assembly comprises a rupture disk disposed to block fluid flow to the passageway in the shaft.

53. (Previously Presented) The apparatus of claim 49, wherein the motor operating system comprises a hydraulic system.

54. (Previously Presented) The apparatus of claim 49, wherein the motor operating system comprises a system selected from a turbine system and a stator system.

55. (Previously Presented) The apparatus of claim 49, wherein the earth removal member includes a drill face and a spindle connected to the shaft.

56. (Previously Presented) The apparatus of claim 55, wherein the earth removal member includes a fluid connection to the passageway in the shaft.

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57. (Previously Presented) The apparatus of claim 56, wherein the earth removal member includes a shut off mechanism for stopping fluid flow through the fluid connection.

58. (Previously Presented) The apparatus of claim 49, further comprising a casing latch attached to the motor system housing, the casing latch adapted to releasably secure the motor system to an internal surface of the inner casing.

59. (Previously Presented) The apparatus of claim 58, wherein the casing latch includes a fluid passage connected to the passageway in the shaft.

60. (Previously Presented) The apparatus of claim 58, further comprising a guide assembly connected to the casing latch, the guide assembly having one or more seats for receiving a device selected from an inter string and an orientation device.

61. (Previously Presented) The apparatus of claim 49, wherein the motor system housing includes an enlargement portion for expanding a casing size.

62. (Currently Amended) A method of initiating and continuing a path of a wellbore, comprising:

providing a first casing having a first earth removal member operatively disposed at a lower end thereof;

penetrating a formation with the first casing to form the wellbore;

selectively altering a trajectory of the wellbore while penetrating the formation of with the first casing;

flowing drilling fluid to a motor system disposed in a second casing, the second casing being releasably attached to an inner diameter of the first casing and having a second earth removal member; and

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rotating the second earth removal member with the motor system

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63. (Previously Presented) The method of claim 62, wherein the trajectory of the second casing is altered more than the trajectory of the first casing.

64. (Currently Amended) A method of altering a path of a casing into a formation, comprising:

providing an outer casing with a deflector releasably attached to its lower end;

penetrating the formation with the deflector;

releasing the deflector from the outer casing ~~releasable attachment~~; and

deflecting the path of the outer casing in the formation by moving the casing string along the deflector.

65. (Previously Presented) The method of claim 64, further comprising releasing an inner casing from the outer casing.

66. (Previously Presented) The method of claim 65, further comprising flowing drilling fluid to a motor system disposed within the inner casing to rotate an earth removal member operatively attached to the motor system while altering a trajectory of the inner casing drilling into the formation.

67. (Previously Presented) The method of claim 1, wherein penetrating the first casing into the formation comprises jetting the first casing.

68. (Previously Presented) The method of claim 1, further comprising measuring a trajectory of the wellbore while drilling with the first or second casing.

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REMARKS**COPY**

This is intended as a full and complete response to the Final Office Action dated March 21, 2006. Applicant believes only a one month extension of time is required as calculated from the mailing of the advisory action on August 29, 2006. Claims 1, 4, 5, and 22-68 remain pending in the application and are shown above. Please reconsider the claims pending in the application for reasons discussed herein.

The specification has been amended to claim benefit of U.S. Patent Application No. 10/331,964, filed on December 30, 2002. Applicants are submitting herewith a Second Petition to Accept an Unintentionally Delayed Priority Claim, thereby removing *Galloway* as prior art.

Claim Objections

Claims 4, 25, and 64 stand objected to because of the following informalities.

Applicants have amended the claims for clarification in accordance with the Examiner's comments.

§ 112

Claims 62 and 63 are rejected under 35 U.S.C. § 112, second paragraph.

Applicants have amended the claims for clarification in accordance with the Examiner's suggestion.

§ 103

Claims 1, 4, 5, 22-29, 35, 37, 41, and 62-67 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Galloway, et al.* 6,857,487 in view of *Tesco Corporation*, WO 00/50730.

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Applicants are submitting herewith a Second Petition to Accept an Unintentionally Delayed Priority Claim, thereby removing *Galloway* as prior art. Withdrawal of the rejection is respectfully requested.

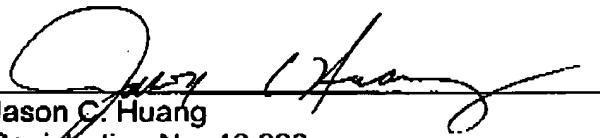
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Conclusion

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

Having addressed all issues set out in the Final Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,


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